

REMARKS

Reconsideration and allowance of the above-identified Application in view of the above amendments and the following remarks are respectfully requested.

Claims 11 and 14 – 17 are pending in the Application, claims 12 and 13 having been cancelled herewith.

Applicants note with appreciation the Examiner's indication that claims 14 and 15 would be allowable if rewritten in independent form to contain all the limitations of the base claim and any intervening claims. Therefore, Applicants have rewritten claim 14 in independent form to contain the limitations of base claim 11 and intermediate claims 12 and 13. Since claim 15 depends from claim 14, Applicants respectfully submit that claims 14 and 15 are now in condition for allowance.

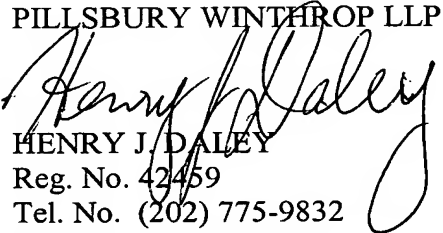
The Examiner rejected claims 11 and 16 under 35 U.S.C. § 102(b) as being anticipated by SanGregory. Applicants respectfully traverse for at least the following reasons. The Examiner refers to the base plate 88 in SanGregory et al. (U.S. Patent No. 5,173,728), and then refers to SanGregory (U.S. Patent No. 5,561,486) for additional elements. Consequently, this is an improper anticipation rejection since all elements must be identically disclosed in a single reference to support anticipation. Furthermore, SanGregory et al. '728 fails to disclose that the frame body covers both ends of a turning axial region of the permanent magnet. The bearing pin 84 is provided with the pin 86 and the pin portion 93 as the turning axis and there is no teaching or disclosure that the lug 80 could possibly be constructed to cover both ends of the turning axial region since it is sized and shaped to be the mirror image of the projection 85 (see Figures 7a, column 5, lines 5-9 of SanGregory et al.)

In addition, Applicants amended claim 11 to contain the limitations of original claims 12 and 13 and have canceled claims 12 and 13. Therefore, the rejection of claims 11 and 16 is also now moot. Applicants respectfully submit that claims 11 and 16 are now in condition for allowance and request that the rejection under 35 U.S.C. § 102(b) as being anticipated by SanGregory be withdrawn.

The Examiner rejected claims 11-13, 16 and 17 under 35 U.S.C. § 102(b) as being anticipated by Naganuma (U.S. Patent No. 6,027,261). The rejection of claims 11 and 12 is moot since claim 11 has been amended to include the limitations of claims 12 and 13. Applicant respectfully traverses the remainder of this rejection for at least the following reasons.

Claim 11 recites "at each place where the ends of the turning axial region of said permanent magnet face said frame body covering the ends of the turning axial region, one of said permanent magnet and said frame body is provided with a polygonal concavity and another of said permanent magnet and said frame body is provided with a convexity projecting to be fitted in said concavity, and wherein, at a place where said surface parallel with the turning axis of said permanent magnet faces said frame body covering said surface parallel with the turning axis, one of said permanent magnet and said frame body is provided with concavities and another of said permanent magnet and said frame body is provided with convexities projecting to be fitted in said concavities." Naganuma neither teaches nor suggests such a feature. The Examiner seems to be interpreting the flat cut portions 21 and two sides of the bracket 36 as concavities and convexities on the permanent magnet and the frame body at a place where the surface parallel with the turning axis of the permanent magnet faces the frame body. Applicants respectfully disagree. The flat portion 21 is neither concave nor convex as is true for the flat portion 36 along the side of the flat portion 21. This side portion of 36 merely lies flat across the surface 21. This is a different structure from that recited in claim 11 which corresponds to original claim 13. Therefore, Applicants respectfully submit that claim 11 is now in condition for allowance and request that the rejection under 35 U.S.C. § 102(b) as being anticipated by Naganuma be withdrawn. Since claims 16 and 17 depend from claim 11, Applicants respectfully submit that they are also in condition for allowance.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
PILLSBURY WINTHROP LLP

HENRY J. DALEY
Reg. No. 42459
Tel. No. (202) 775-9832
Fax No. 703 905-2500

Date: November 18, 2004
P.O. Box 10500
McLean, VA 22102
(703) 905-2000